United Nations S/AC.44/SR.27

Security Council

Provisional

Distr.: General
16 October 2009

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Provisional summary record of the first part* of the 27th meeting (open)
Held at Headquarters, New York, on Thursday, 1 October 2009, at 10 a.m.

Chairman: Mr. Urbina ..... (Costa Rica)

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General debate (*continued*)

* The summary record of the second part of the meeting, to be reconvened in the afternoon, appears as document S/AC.44/SR.27/Add.1.

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09-53583 (E)

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The meeting was called to order at 10.15 a.m.

General debate (*continued*)

1. **Mr. Quinlan** (Observer for Australia) said the continuing risk that weapons of mass destruction would spread to non-State actors made it urgent for Member States to meet their obligations — and particularly their reporting obligations — under Security Council resolution 1540 (2004) so that the Committee could identify gaps in domestic export controls and countries that needed assistance in order to respond to the changing security environment. The more States that publicized their implementation of the resolution, the stronger the signal to terrorists and their supporters that there were fewer and fewer places that they could use to obtain or transfer the materials and technology necessary for weapons of mass destruction.

2. Implementation must build on and complement a country's broader counter-proliferation, counter-terrorism and national security efforts. His Government had put in place enhanced national arrangements to secure chemicals and had promoted them at the regional level, including by hosting an Asia-Pacific seminar in June 2009 and inviting neighbouring countries to participate in national seminars and workshops. It facilitated the Organisation for the Prohibition of Chemical Weapons (OPCW) Open-Ended Working Group on Terrorism and, in that role, promoted effective implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (the "Chemical Weapons Convention"). It also provided legal and legislative assistance and capacity-building to other countries of the region, including in the areas of border control, anti-money-laundering and countering the financing of terrorism, and was a member of a Financial Action Task Force (FATF) counter-terrorism project team.

3. Australia was an active member of all the international export control regimes; it permanently chaired the Australia Group and currently chaired the Missile Technology Control Regime (MTCR). In that regard, the participants in the regional Proliferation Security Initiative (PSI) workshop that Australia and the United States of America had recently hosted in Sydney had expressed strong support for the implementation of resolution 1540 (2004). Australia had participated in the United Nations Workshop On Implementing Security Council Resolution 1540 (2004), held in Port-Vila, Vanuatu from 29 April to 1 May 2009. His Government welcomed the Committee's engagement with regional bodies and encouraged it to expand its work within existing regional frameworks and arrangements, including export control regimes.

4. In December 2007, the Committee had agreed to receive information from a number of international, regional and subregional entities, including the Australia Group and MCTR. The Chairman had written to those regimes in order to seek assistance regarding the implementation of resolution 1540 (2004), and both regimes had subsequently established a relationship with the Committee. He therefore regretted that neither of them had been invited to contribute to the current review of the resolution.

5. **Mr. Abdelaziz** (Observer for Egypt) said that the proliferation of weapons of mass destruction posed the greatest threat to international peace and security and that, in principle, the goal should be their total elimination. Implementation of the resolution should therefore focus on the Middle East, where serious imbalances in States' commitment had hindered achievement of the goal of universal accession to the Treaty on the Non-Proliferation of Nuclear Weapons (the "Nuclear Non-Proliferation Treaty"). He welcomed recent nuclear disarmament initiatives, including the five-point proposal that the Secretary-General had made in October 2008, and hoped that that proposal would be translated into action as quickly as possible.

6. In addition to national measures taken in implementation of the resolution, Egypt participated actively in the relevant activities of the League of Arab States and the African Union and shared its own experience with a view to providing assistance to other Arab and African countries. Various government authorities had attended the Committee's regional meetings and workshops, most recently in Doha in March 2009, and, in cooperation with the Committee and the Office for Disarmament Affairs, Egypt would host a workshop for African States, to be held in Cairo in December 2009.

7. **Mr. Mugoya** (Uganda) said that the meeting was timely in light of the current focus on non-proliferation and the adoption of Security Council resolution 1887 (2009), in which the Council had reiterated the need for full implementation of resolution 1540 (2004). In

recent years there had been greater acceptance of the resolution, primarily as a result of the Committee's provision of assistance to States. He welcomed the Committee's cooperation with regional and subregional organizations and the good working relations among the Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004) and among their expert bodies. However, a number of States still found it difficult to meet the Committee's reporting requirements owing to the complexity of the provisions of resolution 1540 (2004) and to their own lack of capacity.

8. **Mr. Bródi** (Hungary), speaking on behalf of the Nuclear Suppliers Group (NSG), said that the Group's participating governments fully shared the goals of resolution 1540 (2004) and stood ready to contribute to the review and implementation process. Its Guidelines for Nuclear Transfers and Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology were designed to ensure that nuclear trade for peaceful purposes did not contribute to the proliferation of nuclear weapons or other nuclear explosive devices and that international trade and cooperation in the nuclear field were not hindered unjustly. The Guidelines showed how the obligation to facilitate peaceful nuclear cooperation could be met in a manner consistent with international non-proliferation norms; thus, they complemented and were consistent with the various international, legally binding non-proliferation instruments.

9. The participating governments believed that effective export controls were an important tool for combating the threat of nuclear terrorism and had amended the Guidelines accordingly over the years. They discussed the issues of illicit procurement and trafficking and called on all States to endeavour to ensure that their exports of goods and technologies did not contribute to nuclear weapons programmes. They therefore welcomed the resolution's recognition of the importance of export controls and the Security Council's decision that all States should take domestic measures, including end-user controls, to prevent the proliferation of such weapons.

10. The NSG was prepared to support States' efforts to implement the guidelines. The Troika of its past, present and incoming Chairs worked to strengthen contacts with non-participating governments and international organizations within the framework of the Group's existing outreach programme, inform specific countries of its practices and promote adherence to its guidelines. Most recently, the Troika had met with non-participating governments in the margins of the fifty-third General Conference of the International Atomic Energy Agency (IAEA), held in September 2009. Those meetings had confirmed the interest in the Group's activities and the need for information-sharing, assistance and capacity-building, including in the areas of customs management and border control.

11. The NSG stood ready to render such assistance. At its nineteenth plenary meeting, held in Budapest in June 2009, the Group had adopted best-practice guides to be used by participating governments, both internally and for outreach activities, in order to address the challenges posed by the intangible transfer of technology and end-use control. The NSG licensing and enforcement handbook for officials was updated regularly and contained visual identification for the easy identification of all items on the technical lists; an outreach version could be shared with countries implementing the Guidelines.

12. On 15 October 2009, as current Chair of the Group, Hungary would organize an NSG side event in the margins of the meetings of the First Committee: a seminar on the role of export controls in nuclear non-proliferation.

13. **Mr. Argüello** (Observer for Argentina) said that his delegation was committed to the non-proliferation of weapons of mass destruction and to the development and use of dual-use technologies for peaceful purposes in the context of economic growth and sustainable development. Argentina was, to date, the only Latin American country to have become a party to the five export control regimes: the Australia Group, the Zangger Committee, the NSG, the Wassenaar Arrangement and the MTCR. His Government reviewed its domestic law constantly in order to amend it as needed. With initial support from the Department of Energy of the United States of America, it had established a technical group that trained national experts and those of other countries in the technologies used to identify sensitive products; the most recent course had included participants from Chile, Paraguay, Peru and Uruguay and observers from South Africa.

14. Effective control of dual-use technologies and materials required harmonization of legislative and operative measures at the regional level. In 2005, Argentina had helped organize two regional seminars

on implementation of the resolution and in May 2008, it had hosted an Organization of American States (OAS) seminar on the same topic. It had promoted establishment of the Southern Common Market (MERCOSUR) Working Group on Weapons of Mass Destruction, which helped States develop summary action plans pursuant to paragraph 4 of resolution 1810 (2008). In June 2009, Argentina had hosted a regional workshop on the suppression of nuclear terrorism, organized jointly with the United Nations Office on Drugs and Crime (UNODC) and the OAS Inter-American Committee against Terrorism (CICTE).

15. His Government stood ready to cooperate in the implementation of regional action plans and to share its experience in the areas of disarmament and non-proliferation. It had offered to coordinate with the Committee the holding of a workshop for Latin American countries in late 2009 in order to share their experiences and lessons learned with other subregional groups and to harmonize control standards and measures.

16. His delegation supported the constructive review of the Nuclear Non-Proliferation Treaty and was committed to preventing terrorists and international organized crime groups from acquiring nuclear materials and technologies. It hoped that the recently announced reductions of nuclear stockpiles would result in a significant reduction in such weapons and that some States would cease to view them as an expression of their ability to negotiate at the international level. His Government had specifically renounced weapons of mass destruction and hoped that other States would adopt similar policies.

17. Consideration should be given to the potential proliferation of agents and technologies that could be used to produce biological weapons, a scientific field undergoing exponential growth, since the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (the "Biological Weapons Convention"), unlike the Chemical Weapons Convention, did not provide for a compulsory verification mechanism. In addition, inconsistent application of the mechanisms designed to ensure the non-proliferation of weapons of mass destruction was an unresolved issue that should be addressed. Lastly, without prejudice to the regional implementation efforts already under way, there was a need for strengthened cooperation mechanisms that took the specific characteristics of each region into account and included periodic assessments.

18. **Mr. Gutiérrez** (Observer for Peru) said that his delegation was in favour of strengthening, and promoting universal accession to, the legally binding, multilateral disarmament and non-proliferation agreements in order to ensure that nuclear, chemical and biological substances were used for exclusively peaceful purposes. His Government was a party to the 16 international counter-terrorism instruments, including, since 29 May 2009, the Convention for the Suppression of Acts of Nuclear Terrorism.

19. Attempts by State and non-State actors, including terrorists, to obtain weapons of mass destruction made effective implementation of the resolution and the relevant conventions essential. In cooperation with the United Nations and Spain, his Government had organized a regional seminar in Lima in order to disseminate information on the measures that it had taken pursuant to resolution 1540 (2001) and to discuss avenues for potential regional cooperation. In March 2008, Peru had chaired the eighth regular session of CICTE, which had focused on cybersecurity, port security, document security, fraud prevention, money-laundering and cash couriers. Since no State was immune from terrorism, international counter-terrorism measures must be strengthened with full respect for privacy and civil liberties.

20. His delegation supported the efforts of the international community, and particularly the nuclear-weapon States, to achieve disarmament and non-proliferation through direct negotiation. The recent joint statement on disarmament and arms control made by the Presidents of the United States of America and the Russian Federation, the unilateral statement by the United States that it would ratify the Comprehensive Nuclear-Test-Ban Treaty and the adoption of resolution 1887 (2009) were encouraging steps forward.

21. **Mr. McClay** (Observer for New Zealand) said that his delegation was increasingly concerned about the link between weapons of mass destruction and terrorism. All weapons of mass destruction needed to be eliminated through legally binding multilateral instruments such as the Biological Weapons Convention, the Chemical Weapons Convention and the Nuclear Non-Proliferation Treaty.

22. His country had been involved in major outreach activities in the Asia-Pacific region as part of the

Proliferation Security Initiative (PSI) and the Global Initiative to Combat Nuclear Terrorism (GINCT). He urged the Committee to recognize the value of those initiatives to the development of counter-terrorism and counter-proliferation best practices and welcomed the participation by Committee experts in the annual Pacific Islands Forum Working Group on Counter-Terrorism, which was the principal regional counter-terrorism policy event. Along with the European Union and Norway, New Zealand had also sponsored a regional workshop held by the United Nations Office for Disarmament Affairs in April 2009.

23. International counter-terrorism frameworks needed to recognize that some obligations were onerous for small countries, in particular some of the Pacific Island States. His Government continued to work to bring its domestic legislation into line with international standards and had made ratification of all 16 international counter-terrorism instruments a priority. It maintained a strong export controls regime and made a regular practice of reaching out to the private sector in order to ensure that procedures were properly understood.

24. **Mr. Mashkov** (Russian Federation) said that his country had been directly involved in drawing up resolution 1540 (2004) and welcomed the opportunity for a comprehensive review of its status. The importance of the resolution had been reaffirmed in the joint statement issued by the President of the Russian Federation and the President of the United States of America in July 2009. He also recalled that resolution 1887 (2009), adopted at the recent Security Council summit on nuclear non-proliferation and disarmament, had called for Member States to cooperate actively with the Committee in the course of the comprehensive review.

25. Resolution 1540 (2004) established important principles and mechanisms designed to prevent weapons of mass destruction, their components and means of delivery from falling into the hands of non-State actors, particularly terrorists. To that end, full implementation of the resolution by all countries remained the most important strategic objective. However, a global monitoring system was only as effective as its weakest link; given the different levels of implementation among countries, the international community must provide appropriate assistance to those most in need of it.

26. The current open meeting provided a valuable opportunity to draw Member States' attention to resolution 1540 (2004), inform them of the status of its implementation and enhance their implementation. The outcome of the review, if successful, would help determine the future course of joint action.

27. It was important to ensure that the review process did not go beyond the framework established by Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008) and that the Committee's agenda was strictly determined by the provisions of resolution 1540 (2004). The effectiveness of the Committee's work and the way in which it cooperated with United Nations and other bodies should also be reviewed.

28. The resolution was binding on all Member States; however, more than 30 States had yet to submit their initial reports on its implementation. The Committee must therefore continue to work with those States to ensure that they fulfilled their commitments under the resolution.

29. The threat posed by weapons of mass destruction required a global response. For its part, his Government was making a concerted effort to enhance its implementation of the resolution, including through improvements to national export control legislation and law enforcement measures. It stood ready to work with the international community, on the basis of mutual respect, to ensure the full implementation of resolution 1540 (2004).

30. **Mr. Zlauvinen** (Observer for the International Atomic Energy Agency) said that he was pleased to announce the International Atomic Energy Agency (IAEA) Nuclear Security Plan for 2010 to 2013. The Plan affirmed that the responsibility for ensuring that nuclear and other radioactive material was not used for malicious acts rested with each State and that the role of IAEA was to facilitate compliance with international instruments by providing recommendations, guidance and, upon request, technical assistance. The Plan took into account lessons learned from the implementation of previous plans. Nuclear security should be treated as a long-term effort and a work in progress, and international terrorism required an international response founded on global cooperation and established standards.

31. IAEA would continue to assist States in securing vulnerable nuclear material, improving protection of nuclear facilities, strengthening border controls and

combating illicit trafficking in nuclear and other radioactive substances. It would continue to use integrated nuclear security support plans to support individual countries' requests. Like its predecessors, the new Nuclear Security Plan complemented many provisions of resolution 1540 (2004). Its implementation would require approximately 23 million euros annually, 85 per cent of which would have to be met by extrabudgetary contributions.

32. The fifty-third General Conference of IAEA had adopted a resolution inviting the Agency's secretariat "to provide assistance to Member States upon their request in fulfilling their obligations under United Nations Security Council resolution 1540 and to the 1540 Committee, provided that such requests are within the scope of the Agency's statutory responsibilities." Security Council resolution 1887 (2009) reaffirmed the Agency's role in nuclear non-proliferation. IAEA would continue to take part in regional workshops with a view to highlighting ways in which it could assist States to fulfil their obligations under resolution 1540 (2004). He reiterated the Agency's call for harmonization of the various United Nations, international and regional counter-terrorism initiatives in order to avoid duplication of effort and noted that the new Nuclear Security Plan provided for coordination mechanisms to assist in that regard. He encouraged the Committee to advise States to seek the Agency's assistance in matters of nuclear security.

33. **Mr. Liu** Zhixian (Observer for the Organisation for the Prohibition of Chemical Weapons) said that although his Organisation (OPCW) was not a counter-terrorism body, its activities made it a natural partner for the Committee in preventing terrorists from gaining access to dangerous weapons. The Chemical Weapons Convention was the only international treaty that mandated the elimination of an entire class of weapons of mass destruction; since its adoption, over 50 per cent of the world's declared chemical weapons had been verifiably destroyed. In addition to its disarmament activities, OPCW had conducted over 1,600 industrial inspections in approximately 80 States parties to the Convention. Mindful of the fact that the instrument's value in combating proliferation depended on effective domestic implementation, OPCW had reviewed drafts of implementing measures from 127 States parties. One third of the States parties to the Convention had already informed it that they had brought their domestic regulations into line with that instrument. The work of OPCW in assisting States parties had been instrumental in making chemical weapons the area in which the implementation of resolution 1540 (2004) had achieved the most success.

34. OPCW took part in regional workshops organized by the Office for Disarmament Affairs and the Committee, as well as in national initiatives. Its technical secretariat had organized emergency response training in dozens of countries and, in accordance with its mandate, stood ready to cooperate closely with the Secretary-General of the United Nations in the event of the use of chemical weapons by a non-State party. In addition to participating in outreach activities organized by the United Nations, OPCW had helped organize three workshops on the relationship between implementation of the Chemical Weapons Convention and of resolution 1540 (2004), held in the Netherlands, Croatia and Bosnia and Herzegovina, respectively.

35. **Mr. Du Preez** (Observer for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization) said that the 24 September 2009 Security Council summit on nuclear non-proliferation and disarmament and the ministerial Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held on the same day, had brought the Treaty back to the forefront of the disarmament and non-proliferation agenda; prospects for its entry into force were more encouraging than they had been in many years. The Treaty's verification regime, in which States parties had invested one billion dollars, had been tried and tested, including by two explosions in the Democratic People's Republic of Korea. In addition to its primary purpose of halting the further development of nuclear weapons, the verification regime also supplemented IAEA safeguards as an indicator of a State's nuclear capacities and intentions and a warning sign of the potential diversion of nuclear weapons material and technology to non-State actors.

36. Nevertheless, threats to the nuclear non-proliferation regime had increased significantly since the adoption of resolution 1540 (2004). Increases in energy demand and concerns over climate change were encouraging more States to master the nuclear fuel cycle, which would result in the circulation of larger quantities of fissile material that would have to be kept out of the wrong hands. Many aspects of the Preparatory Commission's work in promoting the Treaty were complementary to the Committee's work

in promoting the implementation of resolution 1540 (2004). The Treaty would require States parties to take measures to penalize persons engaging in activities related to nuclear testing on their territories and to set up national focal points for liaison with the eventual Treaty Organization and with other States parties. The Organization's provisional secretariat had conducted dozens of workshops and seminars and had taken part in workshops on implementation of the resolution that had been organized by the Office for Disarmament Affairs. Both the Preparatory Committee and its provisional technical secretariat looked forward to further cooperation with the Committee in anticipation of the entry into force of the Treaty.

37. **Mr. Bylica** (Observer for the North Atlantic Treaty Organization) said that the North Atlantic Treaty Organization (NATO) had just declassified and released the Comprehensive, Strategic-Level Policy for Preventing the Proliferation of Weapons of Mass Destruction and Defending against Chemical, Biological, Radiological and Nuclear Threats that had been adopted at the Organization's 2009 Strasbourg-Kehl Summit. That document assessed the dangers posed by failure to secure nuclear, biological and chemical agents and concluded that closer international cooperation and more effective fulfilment of non-proliferation commitments were needed in order to counter that threat.

38. In the past five years, NATO had organized several non-proliferation seminars. He invited the Chairman to take part in the next such event, to be held in Warsaw on 10 and 11 December 2009. NATO had also begun to organize smaller workshops in order to focus on best practices, lessons learned and legislative measures at the regional and national levels. The first such workshop had been held in Croatia in June 2008 and a second was scheduled to be held in Azerbaijan in the spring of 2010. He would welcome any expert speakers that the Committee might be able to provide for that event.

39. NATO had opened a number of its activities to its partners, including the table-top exercise held at its headquarters in April 2009; the Chemical, Biological, Radiological and Nuclear Defence demonstration held in Namur, Belgium, and a forthcoming seminar on maritime interdiction of weapons of mass destruction, to be held from 19 to 23 October at the new NATO Maritime Interdiction Operational Training Centre in Crete.

40. **Mr. Al Habib** (Observer for the Islamic Republic of Iran) said his Government considered the acquisition, development and use of weapons of mass destruction inhumane, immoral and illegal. As a State party to all the international instruments that banned such weapons, it believed that total elimination was the most effective way to prevent non-State actors such as terrorists from acquiring them. In a statement to the Security Council delivered on 24 September 2009 (S/2009/480), his delegation had stressed that the nuclear-weapon States were obligated to comply with their legally binding commitments to work towards that goal. Non-proliferation and disarmament were mutually reinforcing and should be conducted in parallel.

41. While the Committee's establishment marked a practical step aimed at filling the gap in the existing international non-proliferation bodies, it was not clear that it had addressed the concerns of all Member States fairly and adequately. Its work should have no impact on the rights enshrined in internationally negotiated instruments such as the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention, the Biological Weapons Convention and the Statute of IAEA. Emphasis on prohibiting non-State actors' access to weapons of mass destruction and nuclear materials should not divert attention from nuclear disarmament as the highest priority of the international community.

42. As stated in its two reports to the Committee, the Islamic Republic of Iran had refrained and continued to refrain from providing support to State and non-State actors' attempts to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Under its legal system, international instruments ratified by parliament were automatically incorporated into domestic law; a series of national laws and regulations had also been enacted in order to criminalize and establish penalties for those acts, as well as for illicit trafficking in chemical, biological and nuclear materials.

43. Failure to implement effective, non-selective nuclear disarmament measures increased the risk of proliferation, as shown by the transfer of nuclear weapon technology by certain nuclear-weapon States to States that were not parties to the Nuclear Non-Proliferation Treaty and of nuclear-weapon sharing under security arrangements with non-nuclear-

weapon States. He called for cooperation among all Member States in preventing illicit trafficking that could place those weapons in the hands of terrorists and other non-State actors.

44. **Ms. Mungwa** (Observer for the African Union) said that she welcomed the open meeting of the Committee as an opportunity for broad participation and sharing of knowledge and experience in the implementation of resolution 1540 (2004). While the member States of the African Union were fully committed to a world free of weapons of mass destruction, they were vulnerable to the reach and impact of those weapons and, despite their resource limitations, were devoting significant effort to implementing the resolution and the related African instruments, including, inter alia, the 1964 Organization of African States (OAS) Declaration on the Denuclearization of Africa and the 1995 OAS African Nuclear-Weapon-Free Zone Treaty (the "Pelindaba Treaty"), which had entered into force on 15 July 2009.

45. The Treaty set forth the guiding principles of denuclearization, disarmament and establishment of a nuclear-free zone and its three Protocols were open for ratification by specific States outside that zone. It established a legally binding obligation to refrain from developing, producing or otherwise acquiring nuclear weapons and from testing, allowing or encouraging testing, dumping radioactive waste or stationing nuclear weapons on the territory of another State party. It required States parties to maintain the highest standards of security and effective physical protection of nuclear materials, facilities and equipment to prevent theft or unauthorized use and handling and prohibited armed attacks on nuclear installations within the zone. It banned research into nuclear explosive devices and required the destruction of any such device that a State party might have manufactured prior to the entry into force of the Treaty. Lastly, it expressed support for the use of nuclear science and technology for peaceful purposes; however, States parties must conduct such activities under strict non-proliferation conditions, provide assurance of exclusively peaceful use and conclude a comprehensive safeguards agreement with IAEA for the purpose of verifying compliance.

46. The Pelindaba Treaty was unique in that it required the establishment of a regional organization — the African Commission on Nuclear Energy (AFCONE) — not only to oversee its implementation but to promote peaceful applications of nuclear science and technology by States parties. AFCONE would act as a catalyst for cooperation among African States in the use of such applications and in environmental protection and international nuclear trade, thus becoming a clearing-house for African nuclear expertise and a regional partner for IAEA. Pursuant to article 14 of the Treaty, a conference of States parties would be convened in March or April 2010.

47. The 2004 Solemn Declaration on a Common African Defence and Security Policy classified the accumulation, stockpiling, proliferation and manufacturing of weapons of mass destruction, particularly nuclear weapons, chemical and biological weapons and unconventional long-range and ballistic missiles as external threats to continental security. The Bamako Convention on the ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, the Convention on the Preventing and Combating of Terrorism and the Protocol thereto, the Plan of Action on the Prevention and Combating of Terrorism in Africa and the establishment of the African Centre for the Study and Research on Terrorism (ACSRT) were additional relevant initiatives. The African Union had been working with the United Nations Regional Centre for Peace and Disarmament in Africa and had signed a 2006 memorandum of understanding with OPCW.

48. She reiterated the need to strengthen support for African States' reporting and implementation efforts under the resolution and called on nuclear weapon States to meet their disarmament obligations under the Nuclear Non-Proliferation Treaty and the agreements reached at the 1995 and 2000 Review Conferences.

49. **Mr. Sinhaseni** (Observer for Thailand), speaking on behalf of the Association of Southeast Asian Nations (ASEAN) Regional Forum, said that one of the primary purposes of the ASEAN Charter was to preserve Southeast Asia as a nuclear-weapon-free zone that was also free of all other weapons of mass destruction. The Forum (ARF) was the premier regional body for dialogue on security issues and for building trust and confidence.

50. In a statement on non-proliferation issued in Jakarta on 2 July 2004, the ASEAN States had pledged support for resolution 1540 (2004) and had encouraged Forum members to improve their legislation and

strengthen cooperation in order to share information and prevent illicit trafficking in weapons of mass destruction, their means of delivery and related materials by implementing effective export controls; taking enforcement measures to control the transfer of materials, technology and expertise that could contribute to the development of such weapons; and work with international cooperative mechanisms in order to provide technical assistance to other States.

51. In subsequent years, ARF had organized workshops in order to enhance its members' capacity to implement the resolution, culminating in a 2007 statement supporting national implementation in which States had pledged to promote lessons learned, share experiences and facilitate the provision of assistance. The ARF Vision Statement, adopted on 23 July 2009 in Phuket, identified non-proliferation and disarmament as key challenges facing the Asia-Pacific region. At the working level, the Forum's Inter-Sessional Meeting on Non-Proliferation and Disarmament had held its first meeting in Beijing from 1 to 3 July 2009. At that Meeting, there had been fruitful cooperation with the Committee, through its Chairman, and its experts. The challenges identified included gaps between legislation and enforcement, capacity limitations and the need for assistance, particularly in the area of detection technology. Offers of assistance made on that occasion, if translated into action, would further contribute to the implementation of resolution 1540 (2004).

52. **Mr. Benkhadra** (Observer for the League of Arab States) said that the 1998 Arab Convention on the Suppression of Terrorism had established a pre-existing legal framework for implementation of many of the measures called for in resolution 1540 (2004). The League of Arab States had made implementation of that resolution a priority and had urged its member States to become parties to the international counter-terrorism instruments. On 20 and 21 October 2009, it would hold a workshop on preventing terrorists from acquiring weapons of mass destruction, which it had invited the Committee to attend. In recent years, the League had participated in workshops on implementation of the resolution, held in Amman, Doha and Abu Dhabi and would take part in an upcoming symposium to be held at the Emirates Centre for Strategic Studies and Research in Abu Dhabi on 5 and 6 October 2009. In November 2008, the League had hosted a regional workshop on new counter-terrorism instruments in cooperation with UNODC, and in 2003 it had taken part in two workshops on biological terrorism, held in Washington and Geneva.

53. Non-proliferation of weapons of mass destruction was crucial in ensuring that such weapons did not fall into the hands of terrorists. The League continued to call for a Middle East zone free of weapons of mass destruction, in particular nuclear weapons. He endorsed the statement by the delegation of the Syrian Arab Republic concerning Israel's nuclear weapons, for the recent IAEA resolution calling on Israel to place all its nuclear facilities under comprehensive IAEA safeguards and for Security Council resolution 1887 (2009) concerning nuclear non-proliferation and nuclear disarmament. No State should be excepted from counter-proliferation measures.

54. **Mr. Martyniuk** (Observer for the Organization for Security and Co-operation in Europe) said that the Organization for Security and Co-operation in Europe (OSCE) had been actively engaged in the implementation of resolution 1540 (2004) since 2006 and had been commended for its activities in the Committee's 2008 report to the Security Council (S/2008/493). On 30 September 2009, the OSCE Forum for Security Cooperation had adopted the first chapter of its best practices guide for implementation of the resolution, which covered export controls and trans-shipment; further chapters on other aspects of the resolution were still under preparation. OSCE was also considering proposals for a strategy paper and an informal "group of friends of 1540" and was grateful to the United Kingdom and the United States of America for providing financial support for an extrabudgetary project, within its Conflict Prevention Centre, designed to support implementation of the resolution at the national level.

55. **Mr. Leslie** (Observer for the Pacific Islands Forum) said that the Pacific Islands Forum was grateful for the assistance provided by the Committee to Pacific Island States so that they could meet their obligations under the resolution. The Forum had welcomed the attendance of CTED, the UNODC Terrorism Prevention Branch and the Committee's expert group at meetings of its Regional Security Committee and Working Group on Counter-Terrorism. In the past year, there had been Pacific regional workshops on many aspects of implementation of the resolution, including customs risk management, combating nuclear terrorism, security sector governance and counter-terrorism in the maritime

sector. In its Nasonini Declaration, the Forum had called for the creation of national legislative frameworks to govern counter-terrorism, money-laundering and trafficking in drugs and persons; it had prepared model laws on counter-terrorism and transnational organized crime that incorporated the provisions of international instruments and it was also working with the Oceania Customs Organisation on a model regional customs law.

56. However, the Pacific island countries had limited financial resources, personnel and expertise. Despite the support provided by Australia, New Zealand and the Committee, the burden of reporting, introducing reforms and enacting new legislation was becoming increasingly onerous and he welcomed the undertaking by the expert groups of the Committee and other United Nations entities, such as the Security Council Committee established pursuant to resolution 1267 (1999), CTED and CTITF, to coordinate their work with a view to reducing duplication of effort.

57. **Mr. Guillermet** (Costa Rica), speaking on behalf of the Hague Code of Conduct against Ballistic Missile Proliferation, said that the worldwide proliferation of missile systems could create regional instabilities and threaten global security. The Hague Code of Conduct against Ballistic Missile Proliferation (HCOC) was the only multilateral arms control mechanism of its kind. While it neither prohibited nor restricted the possession of military missile technology, such possession was linked to a set of principles and confidence-building measures, such as prior notification of missile launches and annual declarations of national ballistic missile programmes. The Code's 130 participating States recognized the need to prevent the proliferation of military missile technology and of ballistic missile systems capable of delivering weapons of mass destruction through multilateral, bilateral and national endeavours.

58. **Mr. Wolfe** (Observer for Jamaica) said that small island developing States like his own faced particular challenges in meeting the requirements of the resolution. Over the past two years, a number of workshops on implementation of the resolution had been held for the Caribbean Community (CARICOM) with the sponsorship of the European Union, Norway and Canada. A subregional workshop on preparation of reports pursuant to Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004) had also been sponsored by UNODC. In the course of those workshops, certain recurring themes had been stressed: limited human capacity, competing national priorities (such as Jamaica's concern about small arms and light weapons), reporting fatigue and lack of coordination among the ministries and agencies responsible for different aspects of implementation. In order to address that last concern, his country had made its Ministry of Foreign Affairs and Foreign Trade the focal point for the preparation of reports to the three Security Council Committees on terrorism. The establishment of a voluntary trust fund targeting gaps in implementation, the sharing of information and expertise with developing countries and the involvement of international, regional and subregional organizations would all help developing countries do their part to confront the global threat posed by weapons of mass destruction.

59. **Mr. del Campo** (Observer for Chile) said that his delegation had been a member of the Security Council at the time of adoption of resolution 1540 (2004). The current international climate was propitious to further progress in the area of nuclear disarmament and non-proliferation, as seen from the recent consensus on the adoption of resolution 1887 (2009). Chile was committed to the preservation of international peace and security. It was a party to the relevant international instruments and a participant in the United States Government's Export Control and Related Border Security Assistance (EXBS) programme; it was part of the seven-country initiative and was one of the many States supporting the initiative against nuclear proliferation; and it planned to become a member of the Wassenaar Arrangement, the Australia Group and the MTCR.

60. With the cooperation of international experts, Chile had organized four seminars on implementation of the resolution. His Government was in favour of the multilaterally verified elimination of all weapons of mass destruction and international non-proliferation initiatives and condemned the military use of nuclear energy by any country under any circumstances. It supported the right of States to the peaceful use of

nuclear energy through the exchange of materials and scientific information and through multilaterally regulated cooperation.

61. He called for the strengthening and expansion of subregional, regional and international forums and bodies with a view to the harmonization of States' foreign policy in the area of international security and disarmament, including with regard to nuclear matters.

The meeting was suspended at 1 p.m.